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PATENT  
Atty. Ref. No. 3382-59150

B/A  
A. Wars  
2/4/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** McAuley et al.

**Application No.** 09/323,767

**Filed:** June 1, 1999

**Confirmation No.** 9618

**For:** CONGESTION AVOIDANCE WITHIN  
AGGREGATE CHANNELS

**Examiner:** Hanh N. Nguyen

**Art Unit:** 2662

**Attorney Reference No.** 3382-59150

**CERTIFICATE OF MAILING**

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney  
for Applicant(s)

Date Mailed January 23, 2004

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**AMENDMENT AND RESPONSE**

This responds to the Office action dated August 13, 2003. Please amend the referenced application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2.

**Remarks** begin on page 9.